

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

| | | |
|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 17-CR-30074-NJR-1 |
| |) | |
| LANCE A. WEHRLE, |) | |
| |) | |
| Defendant. |) | |

**DEFENDANT LANCE A. WEHRLE'S
MOTION FOR DE NOVO DETENTION HEARING**

COMES NOW Defendant Lance A. Wehrle, through his attorney, Assistant Federal Public Defender Daniel G. Cronin, and seeks a de novo detention hearing, pursuant to 18 U.S.C. § 3145. In support of this motion, undersigned counsel states:

1. Lance Wehrle is the sole defendant in a three-count indictment. Counts 1 and 2 allege Production of Child Pornography. *See* Indictment (Doc. 1). Count 3 charges him with Possession of Child Pornography. *Id.* Mr. Wehrle is also the subject of a forfeiture allegation. *Id.*

2. On May 3, 2017, Lance Wehrle appeared before the Honorable Donald G. Wilkerson, United States Magistrate Judge, for an initial appearance and arraignment. *See* Minutes of Proceedings on May 3, 2017 (Doc. 10). Those Minutes note in part, "Defendant submits written Waiver of Detention Hearing which the Court finds to be knowing and voluntary." *Id.*

3. In turn, the Waiver of Detention Hearing states in part:

Upon motion, the issue of detention may be reopened at any time before trial if the Court finds information exists that was not known to the movant at the time of this waiver and that has a material bearing on the issue of detention.

Waiver of Detention Hearing (Doc. 14) at ¶ 3.

4. It is respectfully submitted that there have been two relevant changed circumstances since Mr. Wehrle waived his detention hearing:

- (a) On June 16, 2017, Defense Investigator Wesley A. Burns obtained confirmation of Mr. Wehrle's serious illness. *See* Sealed Memorandum in Support (Doc. 19).
- (b) Also on June 16, 2017, Defense Investigator Wesley A. Burns learned that defense counsel in Mr. Wehrle's related criminal case in Jersey County, Illinois believes that he can obtain a recognizance bond for Mr. Wehrle, based on the medical information relayed by Mr. Burns. *See* Sealed Memorandum in Support (Doc. 19).

5. In light of these developments since the waiver of the detention hearing, which have a material bearing on the issue of Lance Wehrle's continued detention, Mr. Wehrle seeks a de novo hearing to determine whether or not he should be further detained.

WHEREFORE, Defendant Lance A. Wehrle requests a de novo review of the detention order.

Respectfully submitted,

/s/ Daniel G. Cronin
DANIEL G. CRONIN
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ATTORNEY FOR DEFENDANT
LANCE A. WEHRLE

CERTIFICATE OF SERVICE

The undersigned attorney certifies that on June 17, 2017, he provided a copy of this document to:

Laura V. Reppert
Assistant United States Attorney
9 Executive Drive, Suite 300
Fairview Heights, Illinois 62208

via electronic filing with the Clerk of the Court using the CM/ECF system, and to:

Timothy E. Keilbach
Supervising U.S. Probation Officer
Pretrial Services Division
650 Missouri Avenue
East St. Louis, Illinois 62201

via e-mail.

/s/ Daniel G. Cronin
DANIEL G. CRONIN